

1 and providing that information. And if you had
2 materials, you can drop them off either with
3 Graham or Shannon outside.

4 MR. NILLES: Thank you.

5 MR. HARNETT: We'll be taking a 15-minute
6 break right now and start up shortly after 11:00.

7 (Recess.)

8 MR. HARNETT: I'd like to welcome our next
9 speaker, which will be Bill Wilson of the
10 Environmental Integrity Project.

11 If you could go right ahead, and I'll
12 give you a two-minute warning when we get to the
13 end of your first 15 minutes.

14 MR. WILSON: Thank you. Good morning. It's
15 a pleasure to be here, and I appreciate the
16 opportunity to talk to you all.

17 I just want to give a little idea of my
18 background. I'm an engineer in Texas. I've got
19 19 years' experience. I started in '85 with the
20 Texas Commission on Environmental Quality, used to
21 be the Texas Water Commission back then; worked as
22 a RCRA permit writer, went on to be an
23 environmental manager at Portland Cement Plant
24 just south of Dallas, and that permit operated our

1 Permit No. 1.

2 And then for the last five years, I've
3 been an air quality engineer for American Electric
4 Power. Until May of this year, I handled seven
5 power plants with 17 units and 4100 megawatts
6 capacity. I handled all of recordkeeping and
7 reporting, permitting under Title V, as well as
8 state permits. I've got a B.B.A., a B.S., an M.S.

9 What I see as the benefits of Title V is
10 that it incorporates these NSR operations, which
11 for the facilities I handled didn't happen until
12 late 2003. That requires the certification,
13 compliance for all the air permits, and these
14 facilities have many permits at each facility. So
15 it requires a more comprehensive look at the whole
16 compliance issue.

17 What I see as a problem is still ahead;
18 reliance on factors and estimates and models, and
19 there is a lack of oversight by the agencies.
20 Many reports are submitted, there is several
21 agencies involved, and there is very little
22 coordination.

23 Some examples are the Welsh Power Plant
24 operated by AEP in East Texas. It has a name

1 plate capacity of 512 megawatts net, but it's
2 reporting to the DOE that it actually operates at
3 528 net megawatts. The heat input is listed in
4 the NSR permit, which was incorporated in November
5 of 2003, and there is data, coal input data and
6 SIMS data showing that Welsh operates 30 percent
7 over its maximum heat input.

8 Based on my understanding of EPA's
9 routine maintenance, repair, and replacement final
10 rule in October 2003, that triggers -- you cannot
11 exceed heat input without triggering in NSR.

12 There was a Title V compliance
13 certification due on May 7th. I discussed the
14 heat input and other deviations with the TCEQ both
15 in Austin and the regional office. The TCEQ
16 advised that exceedance of the heat input must be
17 reported as a deviation. The company deliberately
18 refused to report this, as well as other
19 deviations from the Title V permit on the annual
20 certification. They submitted a false
21 certification on May 7th, and they terminated my
22 employment on May 7th.

23 Same thing is at Pirkey Power Plant.
24 That's a lignite-fired plant. The original PSD

1 application indicated 640 net megawatts. They're
2 reporting to DOE that they're operating at 660 net
3 megawatts. They're actually operating higher than
4 that. Those increases are due to a change in
5 method of operation by operating at over pressure.
6 This leads to frequent start-up, shutdown
7 malfunctions, and increased emissions by operating
8 above the original designed levels.

9 Overreliance on estimates and factors
10 instead of valid stack tests, an example at Welsh
11 is the CO limits. The original application was
12 316 pounds per hour. The original permit limit
13 was 700 tons per year. There was no stack testing
14 for 22 years.

15 In 2000, stack tests were performed.
16 The actual emissions were over 11,000 pounds an
17 hour, and the yearly emissions were 18,000 tons
18 per year. That means that the emissions were
19 underreported and fees were underpaid for over
20 20 years.

21 Same thing with Welsh particulate
22 matter. Welsh is a three-unit plant. There is
23 three coal-fired units. There were original tests
24 shortly after construction in the '70s, and no

1 other tests that I'm aware of. There were four
2 tests done in the '70s; three out of four measured
3 only front-out emissions. There were no tests
4 while SIP-blowing, there were no tests while
5 load-ramping, yet COMS data record frequent
6 opacity events during those periods.

7 So the testing is not following EPA's
8 national stack test guidance issued in February
9 2004. They are not measuring emissions at the
10 worst-case conditions. So again they're
11 underreported. And what is concerning to me is
12 that management knows this. This is from an
13 e-mail dated April 13th, 2000, and I've included
14 this e-mail in the materials submitted today.

15 The engineer says, "We have several
16 limits on the new Welsh air permit that are not
17 reasonable. CO is one. Pound per NMBTU
18 particulate is another. We are breaking these
19 limits today. The 28 PPM of CO is unreasonable.
20 The pound per NMBTU of particulate is
21 unreasonable. I did bring this fact up last year,
22 and we decided to do nothing about it."

23 Same thing with Pirkey VOC emissions.
24 The original PSD application estimate was 5 pounds

1 an hour. Initial compliance testing in 1985 was
2 135 pounds an hour. The company was allowed to
3 retest in '86, and the average was 30.72 pounds.
4 The state set the limit at 46.9 tons per year,
5 using the lowest of five runs during that '86
6 test. Why did they do that?

7 This is from a letter written by the
8 TCEQ staff:

9 "Therefore it's my understanding that
10 Mr. Crocker based the annual emission rate on the
11 lowest test result to be on the conservative side
12 and to assist the company to avoid public notice
13 and PSD review."

14 If they had used the emissions from the
15 '85 test, they would have reported 475 tons per
16 year.

17 So this was the response from the
18 company to the TCEQ:

19 "Although we have some reservations
20 about these limitations due to the fact that a
21 stack emissions VOC test taken at reduced load
22 indicated an emission rate higher than that
23 proposed, you have advised that we will not be
24 required to test for VOC emissions in the future."

1 So it appears that the company and the
2 TCEQ both knew that the procedure and the test
3 results, the limits were not being set properly.

4 Then every year from 1990 to 1997, a
5 SWEPCO engineer reported violations to the TCEQ.
6 Their permit limit, again, was 46.9. In 1990 they
7 reported a hundred; in 1991, 97.5; '92, 107; '93,
8 121, et cetera. There was no response from the
9 TCEQ.

10 These examples indicate a hostile
11 attitude towards environmental compliance by
12 industry. That's been my experience for the
13 ten years that I've worked for industry. They
14 show a lack of monitoring and oversight by the
15 agencies. And I think that results from, again,
16 the lack of resources, high turnover,
17 inexperienced staff, which, again, comes from
18 political pressure.

19 I think one possible solution would be
20 to require that companies systematically address
21 their environmental management. I know that the
22 practice of American Electric Power is to
23 compartmentalize this information so it's not
24 widely known. They try to limit who knows of

1 violations so it can easily be covered up and
2 swept under the rugs.

3 I think that there is a need for
4 additional monitoring and testing of emissions,
5 and I think there is a need for independent audits
6 that would be most effective, if there was already
7 an environmental management system in place, and
8 sufficient monitoring to judge against that
9 system.

10 This is the best analogy I can think of.
11 It's programs like a three-legged stool with two
12 legs. There is management failures at both the
13 state and industry, and the public input is
14 needed. There is a need for monitoring data and a
15 systematic approach, and if you had both those in
16 place, the public would have the tools it needs to
17 be that third leg of the stool.

18 Thanks for the chance to talk today.

19 MR. HARNETT: Kelly? Kelly Haragan.

20 MS. HARAGAN: Could you kind of go over what
21 you think are the most important tools out of the
22 Title V program that would help improve compliance
23 at facilities?

24 MR. WILSON: Well, I think there has to be

1 monitoring data. Clearly there is a lack of stack
2 testing. There is a lack of oversight as to how
3 those stack tests are done. There is a lack of
4 review by the state of reports that are being sent
5 in. So there is a need to enhance those
6 provisions in the permit that would allow hard
7 data and evidence about the status of compliance.

8 MR. HARNETT: Bob Morehouse?

9 MR. MOREHOUSE: Yes.

10 You expressed concerns with monitoring
11 and frequency. Would it be your view that those
12 would be best addressed through a regulatory
13 comment process, administrative process, such as
14 revisiting underlying requirements, or on a
15 permit-by-permit basis?

16 MR. WILSON: I'd recommend a permit-by-permit
17 basis.

18 MR. MOREHOUSE: Even though that would lead
19 to inconsistency across the state?

20 MR. WILSON: I think each facility has to be
21 considered. Type of industries need to be
22 considered, and there is not a one-size-fits-all.

23 MR. HARNETT: Shelley Kaderly?

24 MS. KADERLY: Question on the stack testing

1 element.

2 For the company that you worked for,
3 what would have been your recommendation on how
4 frequent those stack tests should have been

5 conducted during the Title V permit term? Once a
6 permit term? Once a year? How often?

7 MR. WILSON: Well, for example, with
8 particulates, I know that there is Triboelectric

9 meters that are available to measure particulates
10 continuously, and I would have recommended that.

11 MS. KADERLY: So the more frequent, the
12 better.

13 MR. WILSON: Well, continuous monitoring is
14 better than infrequent monitoring.

15 MS. KADERLY: Thank you.

16 MR. HARNETT: Verena Owen?

17 MS. OWEN: Thank you.

18 I think your example, at least from my
19 perspective, was kind of the example that
20 environmentalist's nightmares are made out of.

21 When you said that you think the
22 situation could have been remedied -- and I hope
23 it has. You didn't talk about that -- no.

24 By increased public input and public

1 participation, what kind of tools do you think the
2 public would need to address this?

3 MR. WILSON: Well, I think you need to have
4 sufficient monitoring stack testing data and

5 compare that against this system that's in place.
6 There is no system of environmental management at
7 the largest electric utility in America.

8 MS. OWEN: Can I have a follow-up question?
9 Can you give me a little bit of
10 understanding what you would consider the
11 environmental management system?

12 MR. WILSON: Well, there is an international
13 standard, ISO 14001, that talks about how to
14 establish a management system. That's what I
15 would recommend. That companies develop systems
16 that meet that international standard, ISO 14001.

17 MS. OWEN: Thank you.

18 MR. HARNETT: Don van der Vaart?

19 MR. VAN DER VAART: I wasn't sure whether I
20 missed something. Have these facilities gotten
21 their Title V permit, and did they certify
22 compliance, or are you referring to periods of
23 time prior to their Title V permit?

24 MR. WILSON: No, these facilities all have

1 Title V permits, and they certify compliance
2 falsely.

3 MR. HARNETT: Kelly Haragan?

4 MS. HARAGAN: I'm sorry. I left that up.

5 MR. HARNETT: Okay. Thank you very much.

6 The next speaker is Scott Evans of Clean
7 Air Energy -- or Engineering, rather.

8 MR. EVANS: Good morning. Thank you.

9 I do have a -- some PowerPoint
10 presentation here. I don't know if it's ready or
11 not. I can go ahead without it, if you're not.

12 MS. COX: It will just take one second.

13 MR. HARNETT: Sure. Go right ahead.

14 MR. EVANS: While she's doing that, I'll just
15 give you a little information about myself.

16 My name is Scott Evans. I work for
17 Clean Air Engineering, and we do a lot of things
18 related to air quality; testing and measurement.
19 I'm involved with the consulting side. We do a
20 lot of work with Title V. Early on we did a lot
21 of work with the actual permit process. Now most
22 of my time is spent with implementation of Title
23 V.

24 We work in all 50 states, so I've had an

1 opportunity to see different state programs in
2 operation, as well as different industries, and
3 sometimes we even work for environmental
4 organizations. So anything involving air quality
5 is what we're involved in. I've been doing this
6 for about 20 years or so.

7 Are we set, or should I --

8 MS. COX: One minute.

9 MR. HARNETT: That's fine. We won't count
10 this time against you.

11 MR. EVANS: Oh, that's all right. You can
12 just cut me off whenever you want to.

13 MR. GOLDEN: He says that now.

14 MR. HARNETT: We'll see later.

15 MR. EVANS: These slides, by the way, will
16 not add anything to the written record really.
17 They're more for the benefit of those in the room.
18 So I will provide some written material within the
19 next couple of weeks.

20 MS. COX: This one?

21 MR. EVANS: Yes. There we go. Okay.

22 When the Title V program first -- I've
23 been involved with this since the early '90s, when
24 Title V and enhanced monitoring and all that

1 discussion was going on. The program came in with
2 a lot of promise, and we all had very high
3 expectations for Title V, some of which were met,
4 and some of which I think we still need to work
5 on. I'm going to just briefly touch both of those
6 topics today. I'll start with a few of the things
7 that work and a few of the things that don't work.

8 I had a chance to review some of the
9 testimony from the earlier hearing that you held,
10 as well as some this morning, and I think
11 sometimes when you listen to some of the critics
12 of Title V, it may look a lot like this next
13 slide, but that is not what Title V is about, and
14 I don't think that's certainly what's going on.
15 So let me talk first about some of the things that
16 are working in the program.

17 For me, having to review a lot of Title
18 V permits and actually working in permitting
19 before the Title V program, also, I think one of
20 the great success stories has, in fact, been
21 consolidation. I know there are certainly issues
22 with incorporation by reference. My personal
23 belief on that is that state and federal
24 regulations should be incorporated by reference

1 and preexisting permits should not. It's simply
2 too difficult, as I think other people have
3 brought out, to track down if you have five, six,
4 seven, eight, ten, twelve preexisting permits,
5 even to locate them can be a difficult situation.

6 Ideally the situation would be to
7 incorporate the state requirements and a
8 state-only portion of the permit, although, again,
9 that's a little problematic that we've had in
10 working with some of the states, to get state-only
11 requirements listed in the permit as state-only
12 requirements. I think it's the inclination of
13 some of the regulators to push as much over on the
14 federal side as possible.

15 But certainly it makes review much
16 easier now than it has been in the past. But we
17 all want to make sure the Title V permit doesn't
18 just become a table of contents for preexisting
19 permits that may or may not be accessible to
20 review.

21 One of the things that it's really done
22 is to focus attention on air emissions. I think
23 much more so than previously. Because of federal
24 involvement in the Title V program, I think there

1 is a much greater awareness at the plant level and
2 a much greater awareness at the management level
3 that there are these issues.

4 I mean, I've been involved in a lot of
5 training programs for plant personnel on Title V
6 obligations, and that kind of thing just didn't
7 happen prior to Title V. You saw very little
8 effort on the part of many facilities, not all,
9 but many to really educate their staffs on what
10 their obligations under the air program are, and I
11 think that's much more prevalent now than it has
12 been in the past.

13 This has been another issue here. This
14 issue of continuous compliance, which is
15 contentious. It's certainly the focus of a lot of
16 attention on facilities now. I think there is a
17 general understanding that at least it's EPA's
18 expectation that compliance be continuous.

19 And from a practical standpoint, in the
20 past compliance, I think, was viewed as an event.
21 It would happen once a year, once per permit term,
22 and as long as that event was concluded
23 successfully, then the assumption was that the
24 plant was in compliance. Then if other things

1 happened in between the five or, you know,
2 one year or five years, whenever the stack test
3 was, that didn't really count as compliance.
4 Compliance was your annual stack test or your
5 once-every-year stack test.

6 Today it's, I think, quite a bit
7 different. Compliance is not viewed as a discrete
8 event that happens at a certain time when the
9 stack testing folks show up. It is something that
10 occurs all the time, and it's a mode of operation
11 of the facility, rather than a discrete event.
12 And that, I think, has been a remarkable change in
13 the decade or so since we started with Title V. I
14 think that has had a mind-set, kind of a paradigm
15 shift in thinking about some of these issues.

16 One of my pictures didn't come out.

17 Upper management involvement certainly
18 is another -- another really key component here.
19 The fact that it's a plant manager or a vice
20 president of EH&S that has to sign these puts a
21 lot more attention on air issues than there had
22 been in the past, without a doubt. I've talked to
23 many, many more VPs and plant managers after Title
24 V than I ever did before, because in the past it

1 was always, you know, it's the environmental guy
2 that handles that, and he'll answer all your
3 questions.

4 This is kind of related to the last one.
5 The effective way to implement Title V, and the
6 way that I think it's being done at facilities
7 that are doing well in meeting their Title V
8 commitments, it integrates compliance with
9 day-to-day operations. Compliance is not
10 something that's handled by the environmental
11 department and it's separate from what goes on day
12 to day at the plant. I think, at least in the
13 clients that I'm working with, compliance is seen
14 as an obligation of the people that run the plant
15 on a day-to-day basis far more than it had been in
16 the past.

17 I don't want to characterize all
18 industry as not complying before Title V and
19 complying now. I'm talking about general trends.
20 I see much more integration of compliance with
21 operations than I had in the past, and, again, I
22 believe that's an absolutely key component to
23 cost-effective compliance with Title V
24 obligations.

1 A couple of areas of concern here. One
2 of the primary issues that I deal with all the
3 time is the tendency of permit writers and
4 agencies to add additional requirements at the --
5 during the permit writing process. And I
6 certainly understand the inclination to do that,
7 but in some respects that's not what Title V was
8 supposed to be about.

9 Title V was about aggregating existing
10 requirements into a single location. While that
11 is being done, there is a lot of additional, both
12 requirements and emission limits, that are added
13 to the permit, and a lot of times without --
14 without adequate opportunity for discussion. It
15 seems to be that that's just what's expected in a
16 Title V permit.

17 One of the key things -- go to the next
18 slide here, because the two of these two are
19 related here -- actually, it's not, but I'll get
20 that in a minute.

21 One of the key additions that I see over
22 and over again is the conversion of limits from
23 maybe ton per year or pound per million BTU or
24 process weight times the limitations to a

1 pound-per-hour limitation. In some states it's
2 actually required, it's part of the Title V permit
3 application, that you actually have to state your
4 emissions in pounds per hour, and those become
5 enforceable commitments when that permit becomes
6 finalized. That in many cases these are new
7 limits that did not exist under any previous
8 permit.

9 The question then becomes for some of
10 these sources, how do you determine what these
11 emissions are in a pound-per-hour basis? For some
12 sources it may be easy. For other sources it may
13 be almost impossible to come up with some kind of
14 pound-per-hour estimate. But yet those become
15 part of the permit under this process, and that is
16 very, very, very common.

17 The second is the addition of new
18 monitoring. I'm going to talk a lot more about an
19 aspect of this in a little bit, but this goes with
20 the new requirements. Very often new kinds of
21 monitoring are added. Even when there is existing
22 monitoring that takes place, additional
23 requirements are added.

24 Now, certainly in the case when there is

1 no monitoring, there is some ability of the EPA to
2 go in under the periodic monitoring provisions and
3 require some additional monitoring, but what we've
4 seen is that that happens far more often than
5 under those limited circumstances.

6 This is where I want to spend a little
7 bit of time here. I know this came up in some of
8 the previous testimony here. The focus on
9 monitoring as being definitive; the definitive
10 determination of compliance. I hear that a lot.
11 I hear that monitoring must be a definitive. And
12 there is no question that monitoring is extremely
13 important and an absolutely critical component of
14 compliance, but I did not believe that it was the
15 intent of Congress, and I do not believe that it
16 is the intent or written in the Clean Air Act or
17 the EPA regulations, that monitoring is the sole
18 determination of compliance.

19 If that were the case, we would not need
20 compliance certifications. The reason we have a
21 structure set up under Title V the way we do is so
22 source owners and operators can look at all of the
23 data that is available, which includes monitoring,
24 which includes proper operation of the source,

1 which includes repair, maintenance, and inspection
2 regimes at these facilities. All of that
3 information together is considered by the source,
4 and a compliance determination is made and
5 certified by the source.

6 We hear a lot of talk about the intent
7 of Congress, and I don't know how many of you have
8 read the Senate report that accompanied the Clean
9 Air Act, but if you haven't read that document, I
10 would encourage you to do it because Congress
11 really very specifically provided that in many
12 cases means other than monitoring, including
13 recordkeeping, including inspections, including
14 other things are perfectly valid determinations of
15 compliance. That you don't necessarily have to
16 have a continuous emission monitor strapped onto
17 every 2-inch process vent in order to be sure or
18 reasonably sure -- and it's important to know that
19 Congress used the term "reasonable assurance of
20 compliance," not an absolute assurance of
21 compliance -- that those are perfectly acceptable
22 and well within the intent of Congress. So I
23 would certainly encourage you to take a look at
24 that document, if you haven't.

1 I want to make sure I'm covering all
2 these things here.

3 Some of the discussion revolved, I know,
4 in the past on this committee around the CAM
5 proposal and whether it, in fact, was namby-pamby
6 or not -- I don't know if we said that -- but my
7 belief is that the CAM ruling or the CAM rule, I
8 think, really captures the essence of what the
9 Title V program is all about and what Congress
10 intended for Title V monitoring. I know Peter
11 Westlin, when we put that rule together, talked a
12 lot about reasonable assurance of compliance.

13 And what's really important, and it's
14 not anywhere in the rule, but he used this
15 language a lot, is for source owners to be as
16 aware of the operation of their pollution control
17 devices and what they're emitting as they are
18 about operating their process. That you don't --
19 you don't treat your pollution control device like
20 the redheaded stepchild out on the side of the
21 plant somewhere. That you put as much care and
22 attention and effort into that as you do to your
23 reaction vessels and the things that you use to
24 make money every day.

1 I think that's a reasonable approach to
2 take. That these are pieces of process equipment
3 just like everything else. If you put that focus
4 in on those, then you can achieve a reasonable
5 assurance of compliance.

6 A good example is baghouses for
7 particulate control. In most cases there is no
8 need to put continuous monitoring on a properly
9 operating baghouse. Certainly you can put a bag
10 leak detector on something, but when a baghouse is
11 operating properly and it's designed properly and
12 you know that you're in compliance when it is
13 designed properly, as long as you continue to
14 assure that that baghouse is operating properly,
15 you do some inspections, you don't see any
16 particulate coming off of that, you have a
17 reasonable assurance that that's in compliance.

18 But you have no SIMS on there. You have
19 no opacity monitor on there 24 hours a day, which
20 is kind of a waste of money if you have five
21 years' history, for example, of absolutely no
22 emissions coming off of this source because the
23 baghouse is operating properly. To invest the
24 money and effort to maintain a continuous emission

1 monitor on a source like that doesn't always seem
2 to make a lot of sense.

3 Another key thing I think needs to be
4 brought up, in some of the previous testimony
5 people have talked about the absolute accuracy of
6 monitoring. We want to improve the absolute
7 accuracy of monitoring. And I think it's
8 important to recognize that the way that the
9 permit program is set up, emission limits are
10 established to protect human health at a certain
11 level, whatever level that is. And of course you
12 can agree or disagree on where those limits are
13 set. But after those limits are set, the
14 obligation of a source is not necessarily to
15 quantify down to the last cubic nanometer what
16 those emissions are, but simply to report whether
17 they are above or below the line that you set.

18 The discussion should be -- if you're
19 going to have a discussion, the discussion should
20 be on where you set that line, not necessarily on
21 exactly to the nth degree what those emissions
22 are. If you're operating at 20 percent down --
23 here is your limit way up here, and you're
24 operating way down here (indicating) with an

1 80 percent compliance margin, it really doesn't
2 make a lot of difference whether your monitoring
3 is plus or minus 2 percent, plus or minus
4 5 percent, or plus or minus 10 percent. You can
5 say with very reasonable assurance that you are in
6 compliance.

7 And that's important because it provides
8 flexibility for sources to choose among different
9 kinds of monitoring; not necessarily the most
10 expensive, the most incredibly accurate
11 monitoring, but monitoring that assures
12 compliance. And that's what the important thing
13 is, are you above or below the line.

14 I think I have one last slide, and
15 hopefully I can squeeze in these last two minutes
16 here. We'll skip this one for now, get to the
17 very last one; one more.

18 Just a thought here. This is data from
19 an actual facility, and I wanted to -- there was
20 some discussion earlier on insignificant sources,
21 and I wanted just to show you, this is baghouses
22 at a particular facility that we looked at here.
23 And you can see the relative size of these
24 different units. I guess I just wanted to show

1 you the typical profile of a source. You have
2 very, very, very many small -- you can call them
3 insignificant -- small units that contribute a
4 relatively small percentage of the plant

5 emissions. In this case you have 70 percent of
6 the sources contributing 25 percent of the
7 emissions.

8 On the other side of that, you've got
9 only 30 percent of the sources that are accounting
10 for 75 percent of the emissions. From an
11 environmental standpoint, from a cost-
12 effectiveness standpoint, it makes sense to spend
13 the time, the effort on the 75 percent of those
14 plant emissions. I'm not saying you ignore the
15 other ones, but we're talking about not
16 necessarily applying exactly the same criteria to
17 the 30 percent of the sources as you are to the
18 70 percent of the sources.

19 You can get a reasonable assurance of
20 compliance overall. Focus the effort on where the
21 emissions are, not necessarily on each little
22 2-inch process vent or each little baghouse that's
23 on top of a silo somewhere, and I think you can
24 get a reasonable assurance of compliance under

1 Title V. I believe that's the last one.

2 MR. HARNETT: Okay. Verena Owen?

3 MS. OWEN: Thanks for coming out here today
4 and talking to us. We appreciate it.

5 I have, I think, two clarifying
6 questions. When you started talking about the
7 concerns, you talked about conversion of limits to
8 pounds per hours, and then you said from other
9 standouts, and then you added that did not exist
10 prior. So I can't in my mind understand what --
11 by a conversion would then happen if nothing
12 existed prior to the conversion.

13 MR. EVANS: The pound-per-hour limit did not
14 exist. That's substantially a different standard
15 than if you had a ton-per-year limit. What we've
16 seen -- I think someone brought this up earlier --
17 a lot of times in that conversation they simply
18 took that ton-per-year limit and divided it by 12
19 or 8,760 or whatever number they needed to get,
20 and that is a severely more restrictive limitation
21 than ton-per-year limit.

22 A ton-per-year limit is like an annual
23 average. You can agree or disagree on what the
24 averaging link should be, but there should -- if